

### REMARKS

Claims 1 – 5 remain in this application. Claim 1 has been amended. Claim 6 has been added.

Claims 1 – 5 were rejected under Section 103(a) as being unpatentable over Margulies (U.S. Patent 4,243,144), in view of Schmiletzky (U.S. Patent 5,360,116). Applicant respectfully traverses this rejection. Margulies relates to peel strip packages and discloses the basic configuration of the present invention, namely a body and a cover material. Margulies, however, is different than the present invention in that Margulies is directed to peel-back blister packs wherein the cover material is peeled away from the body by a user's fingers to release the enclosed item whereas the present invention is directed to pop-out blister packs wherein the enclosed item is released from the pack by the user pushing a protrusion of the body towards the cover material. Hence, the structure of Margulies is different than that of the present invention, including the location of the cuts in the cover and the corresponding purpose of these cuts. Based on this structural difference, the suitable materials for the cover of Margulies and the cover of the present invention are as well different. Moreover, the strength of peelability between the cover and body necessary for the blister pack of Margulies to function is therefore unrelated to the strength of peelability required for the present invention.

Schmiletzky, in columns 1 – 4, describes a plurality of materials for the base section/body and cover material of a blister package. Claim 1 has been amended to clarify the novelty and non-obviousness of the present invention over Margulies and Schmiletzky. The blister pack of the present invention is characterized in that the reverse face of the laminated film, which covers the openings of the recesses of the body, is made of a blended material consisting of an ethylene/vinyl acetate copolymer resin and an olefin resin. By thus using the blend material, the sheet-like body 1, 11 and the laminated film 6, 16 can be interfacially peeled apart. Schmiletzky indicates a number of materials, but does not disclose such a cover material that has a reverse face made of a blended material.

Furthermore, Schmiletzky includes the limitation that the base section and the cover must be formed of materials "essentially consisting of the same **types** of plastics." (see claim 1, of which all the other claims of Schmiletzky depend from). Likewise, Schmiletzky includes a dependent limitation that the base section and cover are formed of different materials. Guidance regarding the meaning of these limitations is found on lines 20 - 42 of column 6. The base section and cover may be made from the same plastics or plastic mixtures or may be made from different plastics as long as the plastics are of the same "type." This means that no matter what plastics are used for the base section and the cover, the plastic used for the base section must be of the same type as that used for the cover. Arguably, what Schmiletzky means by "type" of plastic is a "chemical family" such as olefin-based plastics, ester-based plastics, polyamide-based plastics, and halogen-containing plastics (as grouped together in columns 2 and 3). Hence, for example, if the base section is composed of an olefin-based plastic, then the cover must also be composed of an olefin-based plastic, but the base section may be polyethylene while the cover may be polypropylene. Schmiletzky declares that the limitation that the base section and cover are of a single type is "essential." (See column 6, lines 38 - 41). The present invention is distinct from this limitation of Schmiletzky. In the present invention, the thermoformed sheet-like body (base section) is a transparent synthetic resinous material such as polypropylene while the laminated film layer (cover) includes a polyethylene terephthalate layer and a layer of an ethylene/vinyl acetate copolymer resin blended with an olefin resin. This combination of polymers is a necessary component of the present invention as it allows for interfacial peeling as described above. The base section of the present invention is therefore not composed of the same "type" of plastic as that of the cover. The base section is an olefin-based plastic while the cover includes both an ester-based plastic and an olefin/vinyl ester copolymer blended with an olefin-based plastic. Olefin-based plastics, ester-based plastics, and olefin/vinyl ester copolymers are not the same "types" of plastics. Therefore, the present invention is not an obvious variation of Schmiletzky as Schmiletzky

teaches away from a base section and cover of a blister pack being composed of the different types of plastics as in the present invention.

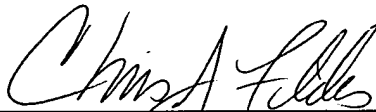
Neither Margulies nor Schmiletzky alone, nor any combination thereof, will result in the present invention. Applicant therefore submits that the claimed invention clearly distinguishes over the cited references and should be found allowable. Applicant requests that the rejection of claims 1 - 5 under Section 103(a) over Margulies in view Schmiletzky be withdrawn.

This amendment and request for reconsideration is felt to be fully responsive to the comments and suggestions of the examiner and to place this application in condition for allowance. Favorable action is requested.

Respectfully submitted,

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